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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MAXIMILIAN KLEIN, et al.,  
  
Plaintiffs,  
  
v.  
  
META PLATFORMS, INC.,  
  
Defendant.

Case No. 20-cv-08570-JD  
  
Hon. James Donato

**DECLARATION OF BRIAN J. DUNNE  
IN SUPPORT OF ADVERTISER  
PLAINTIFFS' ADMINISTRATIVE  
MOTION TO CONSIDER WHETHER  
META PLATFORMS, INC.'S MATERIAL  
SHOULD BE SEALED**

1 I, Brian J. Dunne, declare and state as follows:

2 1. I am an attorney licensed in the State of California and admitted to the United States  
3 District Court for the Northern District of California. I am a partner at Bathae Dunne LLP, counsel for  
4 the Advertiser Plaintiffs in the above-captioned matter. I have personal knowledge of the facts set forth  
5 herein and, if called as a witness, could and would testify competently to them.

6 2. This declaration is made in support of Advertiser Plaintiffs' Administrative Motion to  
7 Consider Whether Meta Platforms, Inc.'s Material Should Be Sealed, filed in connection with the  
8 concurrently filed discovery dispute letter.

9 3. Certain documents and information referenced in the discovery dispute letter have been  
10 designated by Defendant Meta Platforms, Inc., as "Confidential" or "Highly Confidential" under the  
11 Stipulated Protective Order (Dkt. No. 314).

12 4. Portions of the discovery dispute letter referencing or reflecting the contents of the  
13 documents and information designated by Meta Platforms as "Confidential" or "Highly Confidential"  
14 have been redacted from the publicly filed version of the letter. *See* Civil L.R. 79-5(e)(1).

15 5. An unredacted version of the discovery dispute letter with these references highlighted  
16 in yellow is filed herewith. *See* Civil L.R. 79-5(e)(2), (f)(1).

17 6. The discovery dispute letter also contains information designated as "Confidential" or  
18 "Highly Confidential" by nonparty Netflix, Inc. This information has also been redacted from the  
19 publicly-filed letter, and has been highlighted in red in the unredacted letter filed with this motion.

20 7. Advertiser Plaintiffs' request in this motion is limited to documents and information  
21 produced by Meta Platforms marked Confidential or Highly Confidential, or information directly  
22 reflecting documents and information produced by Meta Platforms marked Confidential or Highly  
23 Confidential. This request is thus narrowly tailored to seek sealing only of potentially sealable material.

24 8. The potential sealing of information designated as "Confidential" or "Highly  
25 Confidential" by Netflix, Inc., in the discovery dispute letter is subject to a separate Administrative  
26 Motion to Consider Whether Netflix, Inc.'s Material Should be Sealed.

27 I declare under penalty of perjury that the foregoing is true and correct.  
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1 Executed on April 17, 2023, in Austin, Texas.

2 /s/ Brian J. Dunne  
3 Brian J. Dunne  
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